

MORGAN, LEWIS & BOCKIUS LLP
REBECCA EISEN, State Bar No. 096129
ERIC MECKLEY, State Bar No. 168181
One Market, Spear Street Tower
San Francisco, California 94105-1126
Tel: (415) 442-1000
Fax: (415) 442-1001
reisen@morganlewis.com
emeckley@morganlewis.com

DAVID F. FAUSTMAN, State Bar No. 081862
KAREN L. STEPHENSON, State Bar No. 205664
FOX ROTHSCHILD LLP
50 California Street, Suite 1500
San Francisco, California 94111
Telephone: (415) 296-3885
Facsimile: (415) 296-3886
dfaustman@foxrothschild.com
kstephenson@foxrothschild.com

SHEA HUTCHINS LUKACSKO, State Bar No. 155663
FOX ROTHSCHILD LLP
75 Eisenhower Parkway
Roseland, New Jersey, 07068-1761
Telephone: (973) 992-4800
Facsimile: (973) 992-9125
slukacsko@foxrothschild.com

Attorneys for Defendant
Claims Services Group, Inc.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VINCENT REYNOV,

Plaintiff,

vs.

ADP CLAIMS SERVICES GROUP, INC;
AUTOMATIC DATA PROCESSING,
INC., and each of their subsidiaries doing
business in California, and DOES 1
through 50,

Defendants.

Case No. C-06-2056 CW

**STIPULATION AND ORDER TO AMEND
PRETRIAL SCHEDULING ORDER**

1 Plaintiff Vincent Reynov (“Plaintiff”) and Defendant Claims Services Group, Inc.
2 (“Defendant”), by and through their respective attorneys of record, hereby stipulate and agree to the
3 following:
4

5 1. On September 15, 2006, the parties attended an initial Case Management Conference
6 (“CMC”). On September 27, 2006, the Court issued a Minute Order and Case Management Order
7 which set forth various pre-trial deadlines including, among other things, motion filing and hearing
8 deadlines and discovery cut-off dates.

9 2. On October 16, 2006, Plaintiff filed a motion for leave to file an amended complaint to
10 add, among other things, a “Jeffrey Sparks” as a new plaintiff and “ADP, Inc.” as a new defendant.
11 Defendant opposed Plaintiff’s motion on various grounds including, among others, Defendant’s
12 contention that Sparks and ADP, Inc. are not proper parties in this case.

13 3. On December 22, 2006, the Court granted Plaintiff’s motion and ordered Plaintiff to file
14 an amended complaint, if any, no later than January 16, 2007. The Court stated that if Plaintiff filed an
15 amended complaint, all of the deadlines in the September 27, 2006 Minute Order and Case Management
16 Order would be vacated.

17 4. At the hearing on Plaintiff’s motion for leave to amend, the Court suggested that
18 Defendant provide additional information to Plaintiff regarding Defendant’s position that Sparks and
19 ADP, Inc. are not proper parties. In accordance with the Court’s suggestion, Defendant provided such
20 information to Plaintiff’s counsel. The issue was not resolved, however, until January 17, 2007 when
21 counsel for Plaintiff’s counsel filed a separate action on behalf of Sparks.

22 5. On January 17, 2007, the Court issued a Scheduling Order stating that because Plaintiff
23 did not file an amended complaint, this case would proceed according to the dates in the September 27
24 Minute Order and Case Management Order.

1 6. The parties have been working diligently to schedule and coordinate depositions in this
 2 case. Due to scheduling conflicts and certain other unique circumstances, however, depositions cannot
 3 commence until February, after the current discovery cut-off date of January 30, 2007. The parties,
 4 therefore, require additional time to complete written and deposition discovery. Because the conclusion
 5 of pre-certification discovery should be rescheduled, the parties believe that the previously scheduled
 6 motion hearing and ADR dates should also be rescheduled. Unless the existing Scheduling Order is
 7 amended, the parties will be prevented from adequately preparing for and briefing their respective
 8 dispositive and class certification motions.
 9

10 7. This is the first extension requested by the parties, and the extension is sought in good
 11 faith and after meeting and conferring on the issues.
 12

13 Based on these above-stipulations, Plaintiff and Defendant ask that the Court enter an order
 14 amending the existing Scheduling Order as follows:
 15

- 16 1. All pre-class certification discovery shall be completed on or before March 23, 2007.
- 17 2. Early case-dispositive motions will be heard at 10:00 a.m. on or before April 27, 2007.
- 18 3. The parties will complete a Court-connected mediation session no later than May 18,
 19 2007, and as is convenient to the mediator's schedule.
- 20 4. Plaintiff is to file a motion for class certification and notice it for hearing on July 27,
 21 2007 at 10:00 a.m.

22 It is so stipulated,
 23

24
 25 Dated: _____

 David Markham
 Attorneys for Plaintiff
 VINCENT REYNOV

1 Dated: _____

2 Eric Meckley
3 Attorneys for Defendant
4 CLAIMS SERVICES GROUP, INC.

5 **ORDER**

6 The Court, having reviewed the stipulation of the parties, and good cause appearing therefore,
7 orders that:

- 8 1. All pre-class certification discovery shall be completed by March 23, 2007.
9 2. Early case-dispositive motions will be heard at 10:00 a.m. on or before April 27, 2007.
10 3. The parties will complete a Court-connected mediation session no later than May 18,
11 2007, and as is convenient to the mediator's schedule.
12 4. Plaintiff is to file a motion for class certification and notice it for hearing on July 27,
13 2007 at 10:00 a.m.
14

15
16 **IT IS SO ORDERED,**

17 1/25/07

18 Dated: _____

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20 UNITED STATES DISTRICT JUDGE
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